

REMARKS

This is in response to the Office Action mailed on June 27, 2006. Claims 1-5, 9-13, 16-18, 21 and 24 are pending in this application and were rejected. With this amendment, the independent claims 1, 9, and 17 are amended. The remaining claims are unchanged. No new claims are added, and no claims are canceled.

The pending claims were rejected under 35 U.S.C. 103(a) as being unpatentable over Weblin in view of Ray and in view of Pusteljovsky and further in view of Schileru Key. Applicants respectfully submit that the amended claims are patentably distinguishable from the prior art because they contain features or limitations not shown or suggested in the prior art.

With respect to the pending claims, the Office Action states that “the nature of content of service levels is non-functional matter which does not impact the manipulative steps of the claimed process or the system.” With this amendment, the amended features of the claims affect functionality, and would be executed in the claimed process.

Specifically, the claims have been amended to include the limitations of “establishing a plurality of service levels such that each of the service levels includes a unique combination of type of financial modeling, type of financial coaching, and amount of communication between the user and the live financial advisor,” and “selecting one of the plurality of service levels to determine the type of financial modeling, type of financial coaching, and amount of communication between the user and the live financial advisor available to the user in the financial modeling and counseling system.” Each of the steps is executed in the process of the claimed invention and affects the functionality of claimed invention.

Further, these features are not shown or suggested in the prior art. The Office Action states that Ray “does teach presenting a plurality of service levels to a user and allowing a user to select from any of three service levels: Aexpert R.I.A., Aexpert Alert, and Aexpert Manager which are unique combination of services.” While these three “service levels” of the prior art do provide unique services, they do not meet the terms of the amended claims. Specifically, the prior art does include “establishing a plurality of service levels such that each of the service levels includes a unique combination of [1] type of financial modeling, [2] type of financial coaching, and [3] amount of communication between the user and the live financial advisor” as set forth in the claims. These three enumerated features of the limitations are not included in the “service levels” of the prior art. And because these features are missing from the references, in

particular Ray, they cannot be found in any proposed combination of references. Accordingly, the amended claims are patentably distinguishable from any proposed combination of references.

Applicants therefore respectfully request removal of the rejection under 35 U.S.C. 103(a), favorable action, and allowance of the application.

CONCLUSION

Applicants submit that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7340.

If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Ref. No. 60021-375702).

Respectfully submitted,

By 

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